

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Criminal No. 17-cr-20556  
Hon. Matthew F. Leitman

v.

D-1 VINCENT J. ACHO,

Defendant.

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**PRELIMINARY ORDER OF FORFEITURE**

Defendant Vincent J. Acho entered into a Rule 11 Plea Agreement (Rule 11) and thereafter pleaded guilty to Count One of the Information, which charges conspiracy to commit wire fraud in violation of 18 U.S.C. § 1349. Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), Defendant stipulated in his Rule 11 to the entry of a forfeiture money judgment in the amount of \$188,232.40.

In the Rule 11 the government agreed not to execute on, or seek to enforce, the forfeiture money judgment against Defendant for one year from the date that his Rule 11 was filed, that is, by November 14, 2018. If the full amount of \$188,232.40, the Restitution referenced in the Restitution Section of Defendant's Rule 11, is paid in full within one year from the date the Defendant's Rule 11 was filed, that is, by November 14, 2018, paid either by the Defendant, or by the Defendant and his co-conspirator, Jacob Zaitouna, and government counsel is given proof of such

payment, the government shall seek an Amendment to the Preliminary Order of Forfeiture terminating the forfeiture money judgment against Defendant and indicating that Defendant is no longer obligated to pay the United States \$188,232.40.

NOW THEREFORE, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), and based upon Defendant's Rule 11 and guilty plea, the government's Unopposed Application for Entry of Preliminary Order of Forfeiture, and the information in the record,

**IT IS HEREBY ORDERED THAT**

1. A money judgment in an amount of \$188,232.40 is granted and entered against Defendant in favor of the United States of America. The money judgment may be satisfied, to whatever extent possible, from any property owned or under the control of Defendant. To satisfy the money judgment, any assets that Defendant has now, or may later acquire, may be forfeited as substitute assets under 21 U.S.C. § 853(p)(2).

2. The United States shall not execute on, or seek to enforce, the forfeiture money judgment against Defendant for one year from the date that his Rule 11 was filed, that is, until November 14, 2018.

3. If the full amount of \$188,232.40, the Restitution referenced in the Restitution Section of Defendant's Rule 11 is paid in full on or before November 14, 2018, either by the Defendant, or by the Defendant and his co-conspirator, Jacob Zaitouna, and government counsel is given proof of such payment, the government shall seek an Amendment to this Preliminary Order of Forfeiture terminating the forfeiture money judgment against Defendant and indicating that Defendant is no longer obligated to pay the United States restitution in the amount of \$188,232.40.

4. Defendant shall transfer to the United States all other personal or real property obtained by him in whole or in part through the fraudulent activities of which he is convicted in which he has any equitable interest. If any other person or entity has any interest in such property, Defendant will assist in obtaining a release of interest from any such other person or entity. Defendant will not transfer any interest in, or create any additional encumbrance on, any property subject to forfeiture.

5. Pursuant to Fed.R.Crim.P. 32.2, this Preliminary Order of Forfeiture shall become the Final Order of Forfeiture at the time Defendant Vincent J. Acho is sentenced, and shall be made part of the sentence and included in the Judgment, and shall not be the subject of ancillary proceedings given that the forfeiture consists entirely of a money judgment.

6. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

**IT IS SO ORDERED.**

s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: June 18, 2018

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 18, 2018, by electronic means and/or ordinary mail.

s/Holly A. Monda  
Case Manager  
(810) 341-9764